

REMARKS:

Claims 1-28 are currently pending in the application.

Claims 1-28 stand rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,708,161 to Tenorio, et al. ("Tenorio").

Reconsideration and withdrawal of the outstanding rejections is respectfully requested in light of the following remarks.

POWER OF ATTORNEY:

A Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address (PTO/SB/82) ("Revocation"), appointing practitioners associated with customer number 53184 and changing the correspondence address to the address associated with customer number 53184, was filed along with the previous Amendment on 20 June 2005. However, to date Applicant has received no indication that that the Revocation has been entered, and the present Office Action was incorrectly mailed to the address of Applicant's former representative. A copy of the Revocation and associated Statement under 3.73(b) is submitted herewith. Applicant respectfully requests that the Revocation be entered and further requests receipt of notice to that effect.

TELEPHONE INTERVIEW:

The assistance provided by Examiner Laufer in preparing the Declaration submitted herewith is noted with appreciation. Similar Declarations were previously filed in the present Application and in co-pending U.S. Patent Application No. 09/895,525. Both Declarations were rejected for substantially the same reasons. During telephone interviews conducted on 1 November 2005 and on 2 November 2005, the rejection of the Declarations was discussed, a draft revised Declaration was forwarded to Examiner Laufer, and Examiner Laufer indicated that the draft revised Declaration included revisions that, if incorporated into a new formal Declaration, should be sufficient to overcome the objections to the previously-filed Declarations. Accordingly, a new Declaration is

submitted herewith including the revisions made in the draft revised Declaration that was reviewed by Examiner Laufer. Approval of the Declaration is therefore respectfully requested.

REJECTION UNDER 35 U.S.C. § 102:

Claims 1-28 stand rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,708,161 to Tenorio, et al. ("Tenorio").

Submitted herewith is a Declaration under 37 C.F.R. § 1.132 unequivocally declaring that the present inventor, Manoel Tenorio, conceived of the subject matter disclosed in Tenorio and claimed in the present application.

In accordance with MPEP 706.02(b), it is respectfully submitted that this Declaration obviates the rejection under 35 U.S.C. 102(e).

For the reasons set forth herein, the Applicant submits that claims 1-28 are in condition for allowance. Therefore, the Applicant respectfully requests that the rejection of claims 1-28 be reconsidered and withdrawn, and that claims 1-28 be allowed.

CONCLUSION:


In view of the foregoing remarks, this application is considered to be in condition for allowance, and early reconsideration and a Notice of Allowance are earnestly solicited.

Enclosed herewith is a Request for Continued Examination, which includes an authorization to charge the \$790.00 fee for an RCE to **Deposit Account No. 500777**. If an extension of time is necessary for allowing this response to be timely filed, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) to the extent necessary. Any fee required for such Petition for Extension of Time should be charged to **Deposit Account No. 500777**.

Please link this application to Customer No. 53184 so that its status may be checked via the PAIR System.

Respectfully submitted,

6 DEC 2005
Date


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